



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
2 NAVY ANNEX  
WASHINGTON DC 20370-5100

HD:hd  
Docket No: 04881-99  
28 February 2000

LCDR [REDACTED] USNR  
[REDACTED]

Dear Commander [REDACTED]:

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 25 February 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by the Navy Personnel Command dated 8 October 1999, a copy of which is attached. The Board also considered your letter dated 9 November 1999.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. The Board was unable to find your letter of 19 April 1999 would have materially enhanced your chances before the Fiscal Year 00 Naval Reserve Line Commander Selection Board. In this regard, they noted that the fitness report for 13 July 1997 to 1 June 1998 was placed in your record on 9 September 1998, well before the promotion board met on 19 April 1999. In view of the above, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records.

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Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER  
Executive Director

Enclosure



**DEPARTMENT OF THE NAVY**  
**NAVY PERSONNEL COMMAND**  
**5720 INTEGRITY DRIVE**  
**MILLINGTON TN 38055-0000**

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08 OCT 99

MEMORANDUM FOR EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF NAVAL  
RECORDS

Via: Assistant for BCNR Matters (PERS-00ZCB)

Subj: REQUEST ICO LIEUTENANT COMMANDER [REDACTED]

Encl: (1) BCNR File 04881-99 w/Service Record

1. We are returning enclosure (1) with following observations and recommendation that Lieutenant Commander [REDACTED] petition be denied.
2. LCDR [REDACTED] requests that the failure of select resulting from consideration by the FY-00 Naval Reserve Commander Line Promotion Selection Board be removed. In summary, he claims that the board acted in error because it may have misinterpreted his non-affiliated status as lack of interest in participation in naval reserve programs. In support of his assertion, he states that he had been trying to affiliate with the Naval Reserve since his release from active duty, and claims that through no failure of his own, his attempt has been unsuccessful.
3. Lieutenant Commander [REDACTED] was properly considered by the FY-99 and FY-00 Naval Reserve Commander Line Promotion Selection Boards but was not selected. The record was essentially complete when reviewed by the selection boards. At the time LCDR [REDACTED] was being considered by the selection boards he had not affiliated with any reserve unit. Specific reasons for LCDR [REDACTED]'s non-selection are not available because board proceedings are sensitive in nature and records of deliberations are not kept.
4. Lieutenant Commander [REDACTED] has not presented information indicating that his case was handled improperly during the affiliation process or that any representative of the Navy acted in error or unjustly. As indicated in the petition, LCDR [REDACTED] was aware of his promotion status during his affiliation

attempts. He had ample opportunity to ensure timely communication with the promotion selection board. We find no basis on which to recommend approval of his request.



Director, Reserve Officer  
Promotions, Appointments, and  
Enlisted Advancement Division